

## SENATE BILL NO. 397

INTRODUCED BY L. GROSFIELD, MANGAN, BECK, BERRY, GRIMES, HARGROVE, HEDGES, MASOLO,  
MCCANN, MCGEE, MCNUTT, D. MOOD, OLSON, ROUSH, SHEA, SLITER, TESTER, F. THOMAS

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA  
AN AMENDMENT TO ARTICLE III, SECTIONS 4 AND 7, OF THE MONTANA CONSTITUTION TO CHANGE  
THE DISTRIBUTION OF ELECTORS WHO MUST PETITION TO PLACE A STATUTORY INITIATIVE ON THE  
BALLOT FROM 5 PERCENT IN AT LEAST ONE-THIRD OF THE LEGISLATIVE REPRESENTATIVE DISTRICTS  
TO 5 PERCENT IN AT LEAST ONE-HALF OF THE COUNTIES AND TO CHANGE THE METHOD OF  
DETERMINING THE NUMBER OF QUALIFIED ELECTORS FROM THOSE IN A LEGISLATIVE  
REPRESENTATIVE DISTRICT LAST VOTING FOR GOVERNOR TO THOSE IN A COUNTY LAST VOTING  
FOR GOVERNOR."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Article III, section 4, of The Constitution of the State of Montana is amended to read:

**"Section 4. Initiative.** (1) The people may enact laws by initiative on all matters except  
appropriations of money and local or special laws.

(2) Initiative petitions must contain the full text of the proposed measure, shall be signed by at  
least five percent of the qualified electors in each of at least ~~one-third~~ one-half of the ~~legislative~~  
~~representative districts~~ counties and the total number of signers must be at least five percent of the total  
qualified electors of the state. Petitions shall be filed with the secretary of state at least three months prior  
to the election at which the measure will be voted upon.

(3) The sufficiency of the initiative petition shall not be questioned after the election is held."

**Section 2.** Article III, section 7, of The Constitution of the State of Montana is amended to read:

**"Section 7. Number of electors.** (1) The number of qualified electors required in each legislative  
representative district and in the state shall be determined by the number of votes cast for the office of  
governor in the preceding general election.

(2) For the purposes of a statutory initiative, the number of qualified electors required in each

1 county and in the state shall be determined by the number of votes cast for the office of governor in the  
2 preceding general election."

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4 NEW SECTION. Section 3. Submission to electorate. This amendment shall be submitted to the  
5 qualified electors of Montana at the general election to be held in November 2002 by printing on the ballot  
6 the full title of this act and the following:

7 [] FOR requiring that signatures be gathered in EACH OF one-half of the counties rather than  
8 one-third of legislative districts for statutory initiatives.

9 [] AGAINST requiring that signatures be gathered in EACH OF one-half of the counties rather  
10 than one-third of legislative districts for statutory initiatives.

11 - END -